

RSPA-02-13658-21

DEPT. OF TRANSPORTATION  
DOCKETS

213509

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION  
HAZARDOUS MATERIALS SAFETY

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Docket Number RSPA-2002-19658 (HM-215E)

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COMMENTS OF THE  
UNION PACIFIC RAILROAD

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The Union Pacific Railroad (UPRR) submits the following comments in response to the Department of Transportation invitation to comment on the Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code and International Civil Aviation Organization's Technical Instructions. UPRR also supports and joins in the comments submitted by the Association of American Railroad (AAR).

**Section 171.202(a)(2)**

UPRR supports the requirement for display of the subsidiary hazard class on the shipping papers, if any, as proposed in this section.

**Section 172.202(a)(5)**

UPRR strongly supports the requirement to indicate on the shipping papers the total quantity of hazardous materials and number and types of specific packages. This allows carriers and responders to know exactly what type and quantity of material is in transport. There would be minimum impact to incorporate this change to UPRR current electronic billing systems. Transition time of approximately twelve to eighteen months would be sufficient.

However, 172.202(a)(5), as currently drafted, is extremely confusing. One problem is that the requirements for different kinds of shipments are stated in a single paragraph of narrative, which makes it difficult to quickly ascertain the requirements applicable to a specific shipment. The other problem is that the requirements for nonbulk packages are confusing. The intent of the section is to impose two requirements: the shipper must disclose BOTH volume or mass AND number and type of packages. However, as written, the section could be misunderstood requiring EITHER volume or mass OR number and type of packages.

We believe that 172.202(a)(5) should be rewritten as follows to address the above concerns:

(5) *The total quantity and packaging of hazardous materials covered by the description (by volume or mass, as appropriate, and the number and type of packages) of each hazardous material bearing a different proper shipping name, UN number or packing group must be indicated.*

- (i) *For volume and mass the appropriate units of measurement must be indicated (for example, 200 kgs).*
- (ii) *For Class 1 (explosive) materials, the quantity must be the net explosive mass.*
- (iii) *For shipments of packages in an overpack or transport unit (for example, freight container), this information must be provided for each hazardous material in each package within the overpack or transport unit.*
- (iv) *For hazardous material transported in salvage packagings, and estimate of the quantity must be indicated.*

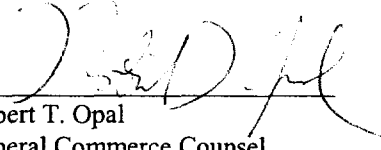
- (v) *For cylinders for Class 2 materials and bulk packagings, indication of the total quantity must be shown (for example, "10 cylinders," "2 IBCs," or "1 cargo tank").*
- (vi) *For nonbulk packages, the number of packages and type of packages (for example, drum, box, jerrican, etc.) must also be indicated.*
- (vii) *Abbreviations may be used to specify the unit of measurement for the total quantity. Examples of descriptions of units of measure and the number and type of packagings include: "1 box, net mass, 30 kg" or "2 drums, gross mass, 200 kg."*

**Section 172.202(b)**

UPRR does not agree with RSPA's proposal to allow an "alternative" basic description sequence. This will cause confusion for all personnel in the transportation process. One basic description sequence should be mandated to allow for consistency and standardization. It matters not what sequence is selected, only that one sequence is set as the required standard. This would ensure no confusion among carriers, shippers, and response agencies. Accurate and timely communication is crucial especially during incident response when this type of information is vital to all.

Respectfully submitted,

Union Pacific Railroad Company

By   
Robert T. Opal  
General Commerce Counsel  
1416 Dodge Street, Room 830  
Omaha, NE 68179  
Telephone No. (402) 271-3072

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